

**SCREENING PANEL MEETING MINUTES  
of the  
BOARD OF MEDICAL EXAMINERS  
301 SOUTH PARK, 4<sup>TH</sup> FLOOR CONFERENCE ROOM  
HELENA, MT  
7:00 A.M. TO CONCLUSION  
JANUARY 17, 2014**

**1. Call To Order – Establish Quorum – Roll Call of Board Members Present**

**MEMBERS PRESENT** –James Upchurch, MD, Acting Chair; Kristin Spanjian, MD; Bruce Hayward, DO; Tanja Brekke, LA; Nathan Thomas, DPM

**MEMBERS ABSENT** – Anna Earl, MD, Chair

**DPHHS MEMBERS PRESENT** – None

**DPHHS MEMBERS ABSENT-** Shannon McDonald, Esq (for ECP complaints)

**STAFF PRESENT** – Mike Fanning, Department Counsel; LaVelle Potter, Compliance Specialist

**2. Approval and Tentative Modification of Agenda Order**

Mr. Fanning stated that he will have to recuse himself from case #4 and another attorney will need to step in if the panel opts to discuss the complaint. In order to accommodate the alternative attorney, the order may need to be changed.

**Motion:** Ms. Brekke moved for the panel to adopt the agenda as presented. Dr. Spanjian seconded the motion. The motion passed unanimously.

**3. Review and Approval of December 13, 2013 Minutes**

**Motion:** Dr. Hayward moved for the panel to adopt the minutes as written. Dr. Spanjian seconded the motion. The motion passed unanimously.

**4. Public Opportunity to Comment**

The presiding officer read the statement of public participation. No members of the public were in attendance who wished to comment.

**5. Legal Report**

- a. Complaint Register**
- b. MPAP report**

**6. Panel Action - Tentatively Scheduled for Executive Session**

The Presiding Chair determined that the individual(s) under discussion at

this meeting have a right to privacy which outweighs the public's right to know. Therefore, the Presiding Chair decided to hold this Screening Panel in closed session. The chair identified 5 complaints that were considered in closed session pursuant to the determination of privacy rights. No complaints were heard in open session.

## **7. Review of Complaints**

## **8. Adjourn to open session**

## **9. Open Session – Disposition of Complaints**

Cases dismissed with prejudice	___1___
Cases dismissed without prejudice	_____
Cases for reasonable cause findings	___1___
Cases for summary suspension	_____
Cases sent for investigation	_____
Cases tabled	___3___

## **10. Adjourn**

**Motion:** Dr. Hayward moved for the panel to adjourn this meeting. Ms. Brekke seconded the motion. The motion passed unanimously.

**APPROVED FEBRUARY 21, 2014**